

EXHIBIT 1

CONDENSED TRANSCRIPT

STATES UNITED DISTRICT COURT

DISTRICT OF MASSACHUSETTS

C.A. NUMBER: 04-11924-RGS

IAN J. BROWN, JAMES BROWN AND BARBARA BROWN,
Plaintiffs,

VS

UNITED STATES OF AMERICA,
VERIZON NEW ENGLAND, INC. AND BOSTON EDISON
COMPANY D/B/A NSTAR ELECTRIC,
Defendants.

~~~~~

RULE 30(b)(6) DEPOSITION OF ADRIENNE M.  
ST. JOHN, taken on behalf of the Defendants,  
pursuant to the applicable provisions of the  
Massachusetts Rules of Civil Procedure, before  
Laurie J. Driggers, a Certified Realtime  
Reporter, Registered Professional Reporter and  
Notary Public in and for the Commonwealth of  
Massachusetts, at the Offices of Prince, Lobel,  
Glovsky & Tye, LLP, 585 Commercial Street,  
Boston, Massachusetts, on April 13, 2005,  
commencing at 9:37 a.m.



Technologies you can Use • Experience you can Trust

141 Portland Street, Suite 200, Boston, MA 02114  
Phone: 617.557.0039 • Toll Free: 1.888.922.JACK • Fax: 617.557.0040  
[www.jackdanielreporting.com](http://www.jackdanielreporting.com)

ADRIENNE M. ST. JOHN 04/13/05

11 (Pages 41 to 44)

Page 41

1 into, I believe, McGuire Road. And then  
 2 you would take a right onto Hartwell  
 3 Avenue and travel into the air base.  
 4 Q. From Route 95 or 128 --  
 5 A. Mm-hmm.  
 6 Q. -- would that be a direct route to  
 7 Hanscom Air Force Base, or is there a more  
 8 direct route that you would take from 95  
 9 or 128?  
 10 A. Hartwell Road in Bedford -- You  
 11 would not travel on Hartwell Road to get  
 12 into the base if you were on 128.  
 13 Q. Okay. How about Route 62?  
 14 A. What was the question?  
 15 Q. Would you travel on Route 62 from  
 16 Route 95 to get to Hanscom Air Force Base?  
 17 A. State-numbered Route 62?  
 18 Q. Yes. Concord --  
 19 A. No.  
 20 Q. I'll reask the question.  
 21 A. No.  
 22 Q. Okay. And the same for South Road?  
 23 A. You would not travel on South Road.  
 24 If you were on 128 and you were going to

Page 42

1 the air base, you would not travel on --  
 2 directly on -- on South Road.  
 3 Q. Okay. How about if you were coming  
 4 from Route 2, would you travel on Concord  
 5 Road or Route 62 to access Hanscom Air  
 6 Force Base?  
 7 A. If you came through Concord.  
 8 Q. Okay. And --  
 9 A. But Route 2 and 128 connect so that  
 10 -- unless you're avoiding the highway.  
 11 You can get to Hartwell you can get to  
 12 Hanscom from Route 2 via Concord.  
 13 Q. Okay. And would you travel past --  
 14 if you were taking that route, would you  
 15 travel past the intersection of Concord  
 16 Ave. and Hartwell Road?  
 17 A. You could, yes.  
 18 Q. Is that a direct route to Hanscom  
 19 Air Force Base from Route 2?  
 20 A. No.  
 21 Q. Okay. Same question with respect  
 22 to South Road. Would -- I'll ask you  
 23 this. Coming from Route 2 --  
 24 A. Yup.

Page 43

1 Q. -- would you travel on -- over  
 2 South Road to access Hanscom Air Force  
 3 Base?  
 4 A. No.  
 5 Q. Okay.  
 6 A. No.  
 7 Q. That would not be a direct route.  
 8 A. No.  
 9 Q. Okay. Can you describe for me  
 10 Hartwell Road, generally?  
 11 A. Hartwell Road is a two-lane  
 12 roadway. The eastern part of it has  
 13 granite curbing and a sidewalk on the  
 14 north side. It's through a residential  
 15 area. There is some town-owned land off  
 16 of Hartwell Road -- again, this is on the  
 17 east side of Hartwell Road. The bottom --  
 18 The southern part of Hartwell Road is  
 19 surrounded by industrial buildings. It is  
 20 also a two-lane, paved roadway. There are  
 21 no sidewalks and there's no curbing. And  
 22 then west of what we call Raytheon, it,  
 23 again, is a two-lane, paved roadway  
 24 through a very sparsely residential area.

Page 44

1 MR. LEWIN: Okay. Copies  
 2 for everyone. Could we mark these as an  
 3 exhibit?  
 4 (Exhibit-12, MapQuest Maps,  
 5 marked for identification).  
 6 BY MR. LEWIN:  
 7 Q. I'm showing you what's been marked  
 8 as Exhibit 12. I'll represent to you that  
 9 this is a map printed off the Internet.  
 10 Do you recognize on the top sheet, what's  
 11 depicted in that map?  
 12 A. (Witness viewing document). I do.  
 13 Q. Okay. And can you just show me on  
 14 the map where Hartwell Road is?  
 15 A. Hartwell Road is this gray line  
 16 that forms somewhat of a -- of a U  
 17 (indicating).  
 18 Q. Okay. When I just asked you a  
 19 question to describe Hartwell Road, you  
 20 said it started out through a residential  
 21 area. On the map, can you show me where  
 22 the residential area you're talking about  
 23 is?  
 24 A. The eastern residential area runs



TECHNOLOGIES YOU CAN USE

617.557.0039

141 Portland Street, Boston, MA 02114  
 www.jackdanielreporting.com  
 888.922.JACK

EXPERIENCE YOU CAN TRUST

FAX 617.557.0040

ADRIENNE M. ST. JOHN 04/13/05

12 (Pages 45 to 48)

Page 45

1 from a point here at South Road past Inde  
2 -- past a road labeled Independence Road  
3 to approximately this gray line running  
4 northwest that is unlabeled (indicating).  
5 Q. That gray line, do you know what  
6 that is?  
7 A. That's Bagley Avenue.  
8 Q. Okay. And that residential area,  
9 are those privately owned residences?  
10 A. They are.  
11 Q. Okay. Okay. The next area you  
12 indicated was surrounded by industrial  
13 buildings on the south side.  
14 A. And on the north side.  
15 Q. And on the north side.  
16 A. I didn't specify which side --  
17 Q. Okay.  
18 A. -- but both sides, yup.  
19 Q. Okay. And can you show me what  
20 area of the road you're referring to here  
21 that's surrounded by industrial buildings?  
22 A. Again, assuming that north is  
23 straight up on this paper, just west of  
24 Bagley Avenue --

Page 46

1 Q. Okay.  
2 A. -- there is a facility, an  
3 industrial building. Just south of  
4 Hartwell Road, actually, under the word  
5 Hartwell Road, there is a hangar. And  
6 traveling further west, there's a -- an  
7 industrial facility on the south side and  
8 there's an industrial facility and a  
9 treatment facility on the north side  
10 (indicating).  
11 Q. Okay.  
12 A. There is a section of mil -- There  
13 is a section of homes -- mil -- military  
14 mobile homes in and along these roads that  
15 are not labeled north of Hartwell Road  
16 (indicating).  
17 Q. All right. The first industrial  
18 facility that you located which was north  
19 was Hartwell Road, do you know what that  
20 facility is?  
21 A. It's referred to as the Raytheon  
22 facility on the hill. It's, as I  
23 understand it, an old Naval weapons  
24 research facility.

Page 47

1 Q. Is that facility operational, to  
2 your knowledge?  
3 A. Approximately two years it was  
4 closed down.  
5 Q. Two years from now?  
6 A. Roughly two years ago. I'm  
7 guessing at the time frame.  
8 Q. Do you know when it was opened?  
9 Was -- Was that a Raytheon facility when  
10 it was functioning?  
11 A. Raytheon was a tenant in the  
12 building, yes.  
13 Q. And that was a civilian facility.  
14 A. I don't know who worked there.  
15 Q. Okay. And then you indicated that  
16 there is a hangar right below the word  
17 Hartwell Road on -- on this map.  
18 A. Mm-hmm.  
19 Q. Do you know who operates in that  
20 hangar?  
21 A. Currently, I don't think anybody is  
22 in the hangar. I don't know who operated  
23 in there before. I don't know if it was  
24 Raytheon or Hanscom or Massport.

Page 48

1 Q. Do you know when that hangar went  
2 empty?  
3 A. I believe they have been -- they  
4 abandoned both of them at the same time,  
5 so roughly two years ago.  
6 Q. Okay. And then you indicated on  
7 those unnamed -- unlabeled streets on the  
8 map that there is some military housing;  
9 is that correct?  
10 A. Yes.  
11 Q. Okay. Do you know who owns that  
12 property?  
13 A. Where the military houses are?  
14 Q. Yeah.  
15 A. That is part of Hanscom Air Force  
16 Base.  
17 Q. Okay.  
18 A. Whether or not it's owned by  
19 Massport or the U.S. Government, I don't  
20 -- I don't know.  
21 Q. Okay. Then, slightly further west  
22 on Hartwell Road, you indicated that there  
23 was -- I believe you said another facility  
24 south of Hartwell Road; is that correct?



TECHNOLOGIES YOU CAN USE

617.557.0039

141 Portland Street, Boston, MA 02114  
www.jackdanielreporting.com  
888.922.JACK

EXPERIENCE YOU CAN TRUST

FAX 617.557.0040

ADRIENNE M. ST. JOHN 04/13/05

13 (Pages 49 to 52)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: center;">Page 49</p> <p>1 A. Yes. The current Raytheon facility<br/>2 is located just south of Hartwell Road.<br/>3 Q. And that is operational at this<br/>4 time.<br/>5 A. Yes.<br/>6 Q. Do you know if that is a civilian<br/>7 operation?<br/>8 A. There are civilians who work there,<br/>9 yes.<br/>10 Q. And then you indicated, I believe,<br/>11 that further -- what, I guess, would be<br/>12 north and west down Hartwell Road was<br/>13 sparsely residential. Is that what you<br/>14 said?<br/>15 A. Yes. There is another industrial<br/>16 building on the north side of Hartwell<br/>17 Road just west of the military housing<br/>18 (indicating).<br/>19 Q. Okay. And what is that facility?<br/>20 A. I'm not sure who's in that<br/>21 building, but there's a couple of<br/>22 buildings there and the second building is<br/>23 a water treatment plant.<br/>24 Q. And is the water treatment plant</p>                                                                                                                                    | <p style="text-align: center;">Page 50</p> <p>1 operational?<br/>2 A. As far as I know, yes.<br/>3 Q. And is that owned by the Town of<br/>4 Bedford?<br/>5 A. No.<br/>6 Q. Do you know who owns or runs that<br/>7 facility?<br/>8 A. I don't know which branch of the<br/>9 military owns it -- is running it.<br/>10 Q. But one branch of the military runs<br/>11 that water treatment facility.<br/>12 A. Yes. Yup.<br/>13 Q. Okay. And is that -- Are those<br/>14 all of the industrial buildings that are<br/>15 located along Hartwell Road?<br/>16 A. There might be some smaller out<br/>17 buildings, but those are the bulk of them,<br/>18 yes.<br/>19 Q. Okay. As you proceed further north<br/>20 and west down Hartwell Road, what's<br/>21 located along the side of the road?<br/>22 A. There's a couple of single-family<br/>23 homes on the east side of Hartwell Road.<br/>24 One of them is what's called the -- the</p>                                         |
| <p style="text-align: center;">Page 51</p> <p>1 egg farm. And on the west side of<br/>2 Hartwell Road, there's a couple of<br/>3 single-family homes. There's a new street<br/>4 that's gone in, it's not shown on this<br/>5 map, called Sorens Way, and that has maybe<br/>6 about seven single-family lots.<br/>7 Q. Do you know when that street was<br/>8 put in?<br/>9 A. It's still under construction.<br/>10 They probably began about two years ago.<br/>11 Q. Okay. The egg farm, what's the egg<br/>12 farm?<br/>13 A. It's a small farm. It has a<br/>14 little grocery store where you can buy<br/>15 fresh produce, certainly eggs. There are<br/>16 some chickens that run around and there's<br/>17 the -- the show pig that -- a little<br/>18 attraction for the -- for the kids.<br/>19 Q. Okay. For the residents located on<br/>20 the easterly side of Hartwell Road in the<br/>21 area where -- off of South Road, if they<br/>22 were coming on Route 62 from the left side<br/>23 of this map, what would be the most direct<br/>24 route to their homes?</p> | <p style="text-align: center;">Page 52</p> <p>1 A. Are you saying that they lived here<br/>2 on this section of Hartwell Road<br/>3 (indicating)?<br/>4 Q. Yes. And they were coming --<br/>5 A. From Route 62?<br/>6 Q. -- from the left side of this map.<br/>7 A. So they would be traveling east on<br/>8 Route 62, they would turn right on<br/>9 Hartwell Road. And if they lived over<br/>10 here (indicating), then they would<br/>11 eventually get home.<br/>12 Q. Okay. And is that the most -- is<br/>13 that the quickest route to those<br/>14 residences from that location on Route 62?<br/>15 A. Yes.<br/>16 Q. That would be quicker than taking<br/>17 Route 62 up and then turning right to<br/>18 South Road.<br/>19 A. Yes.<br/>20 Q. Okay. Likewise, for employees that<br/>21 worked at the Raytheon building, coming<br/>22 from Route 62 on the left side of this<br/>23 map, what would be the quickest route for<br/>24 them to get to their workplace?</p> |



ADRIENNE M. ST. JOHN 04/13/05

46 (Pages 181 to 184)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: center;">Page 181</p> <p>1 Q. Do you know how to reach him?</p> <p>2 A. Oh, yup. Yes, I do.</p> <p>3 Q. Do you know offhand?</p> <p>4 A. He lives at 27 Hartwell Road.</p> <p>5 Q. Okay.</p> <p>6 A. I could only guess at his phone</p> <p>7 number. I think it's 8085, but -- I'm</p> <p>8 sorry, 78 -- I don't want to give you the</p> <p>9 number if it's not correct.</p> <p>10 Q. Now, you testified earlier about</p> <p>11 the town's use of outside contractors to</p> <p>12 erect guardrails, and a name that you came</p> <p>13 up with was Bartwell -- or is it Bartlett?</p> <p>14 A. Bartlett Consolidated.</p> <p>15 Q. Is there a way to determine who</p> <p>16 else the town used since, say, 1970 to</p> <p>17 today?</p> <p>18 A. Invoices older than, I believe,</p> <p>19 seven years have been destroyed. Going</p> <p>20 that far back, I don't know. I don't</p> <p>21 know of any way...</p> <p>22 Q. Okay. So you wouldn't be able to</p> <p>23 determine what contractors the town used</p> <p>24 in the '70s.</p> | <p style="text-align: center;">Page 182</p> <p>1 A. I wouldn't be able to tell.</p> <p>2 Q. And you just mentioned that</p> <p>3 invoices were destroyed, I guess, older</p> <p>4 than seven years. Any other documents</p> <p>5 that the town destroys that are older than</p> <p>6 seven years old that would be pertinent to</p> <p>7 our trying to determine who and when the</p> <p>8 guardrail was erected?</p> <p>9 A. Well, for instance, we keep</p> <p>10 insurance records of contractors who work</p> <p>11 for the Town of Bedford, but I don't know,</p> <p>12 really, where those would -- if they still</p> <p>13 exist, where they would be. They're not</p> <p>14 at the Department of Public Works. They</p> <p>15 may be at the Town Finance Department.</p> <p>16 Q. Do you know what the speed limit is</p> <p>17 in the area where Utility Pole 37 is</p> <p>18 located?</p> <p>19 A. I believe it's 25. Twenty-five.</p> <p>20 Q. Okay. I just have one last</p> <p>21 question for you. You've -- You've</p> <p>22 identified on a few of these maps this --</p> <p>23 this trailer home area.</p> <p>24 A. (Witness nodding).</p> |
| <p style="text-align: center;">Page 183</p> <p>1 Q. Is there any other way to access or</p> <p>2 exit that area other than using Hartwell</p> <p>3 Road?</p> <p>4 A. No. Both trailer areas are served</p> <p>5 from Hartwell Road.</p> <p>6 MR. WILMOT: Okay. That's</p> <p>7 all I have.</p> <p>8 MR. LEWIN: I have three</p> <p>9 questions. Actually, I'm not going to say</p> <p>10 that because I'm sure I'll have a few more</p> <p>11 than three.</p> <p>12 FURTHER EXAMINATION</p> <p>13 BY-MR.LEWIN:</p> <p>14 Q. The first question is, could</p> <p>15 Hartwell Road have been named something</p> <p>16 other than Hartwell Road at some point in</p> <p>17 the past?</p> <p>18 A. Could it have? Sure.</p> <p>19 Q. Is there a way to determine whether</p> <p>20 the road's name was changed at some point</p> <p>21 in time?</p> <p>22 A. I could check some of the old</p> <p>23 historical maps and see what they say.</p> <p>24 Q. Okay. Do you have access to those</p>                                                                           | <p style="text-align: center;">Page 184</p> <p>1 in -- at the Department of Public Works?</p> <p>2 A. Some. Some, I might have to go to</p> <p>3 the Historical Society to get.</p> <p>4 Q. Okay. You were asked a question</p> <p>5 about the taking authority with respect to</p> <p>6 certain parcels of land comprising Hanscom.</p> <p>7 Do you remember those questions?</p> <p>8 A. Yes.</p> <p>9 Q. And you indicated that you thought</p> <p>10 it was the Department of Air Force.</p> <p>11 A. According to the exhibit, yes.</p> <p>12 Q. Okay. And what is it about the</p> <p>13 exhibit that leads you to believe that</p> <p>14 it's the Department of Air Force?</p> <p>15 A. I believe that the Department of</p> <p>16 the Air Force is listed in the title</p> <p>17 block.</p> <p>18 Q. Is that the sole basis upon which</p> <p>19 you believe?</p> <p>20 A. Yes.</p> <p>21 Q. Okay. There's nothing else</p> <p>22 indicating on there that, in fact, the Air</p> <p>23 Force was the taking authority --</p> <p>24 A. Correct.</p>                                                                                                  |



TECHNOLOGIES YOU CAN USE

617.557.0039

141 Portland Street, Boston, MA 02114  
[www.jackdanielreporting.com](http://www.jackdanielreporting.com)  
 888.922.JACK

EXPERIENCE YOU CAN TRUST

FAX 617.557.0040